

al majdal

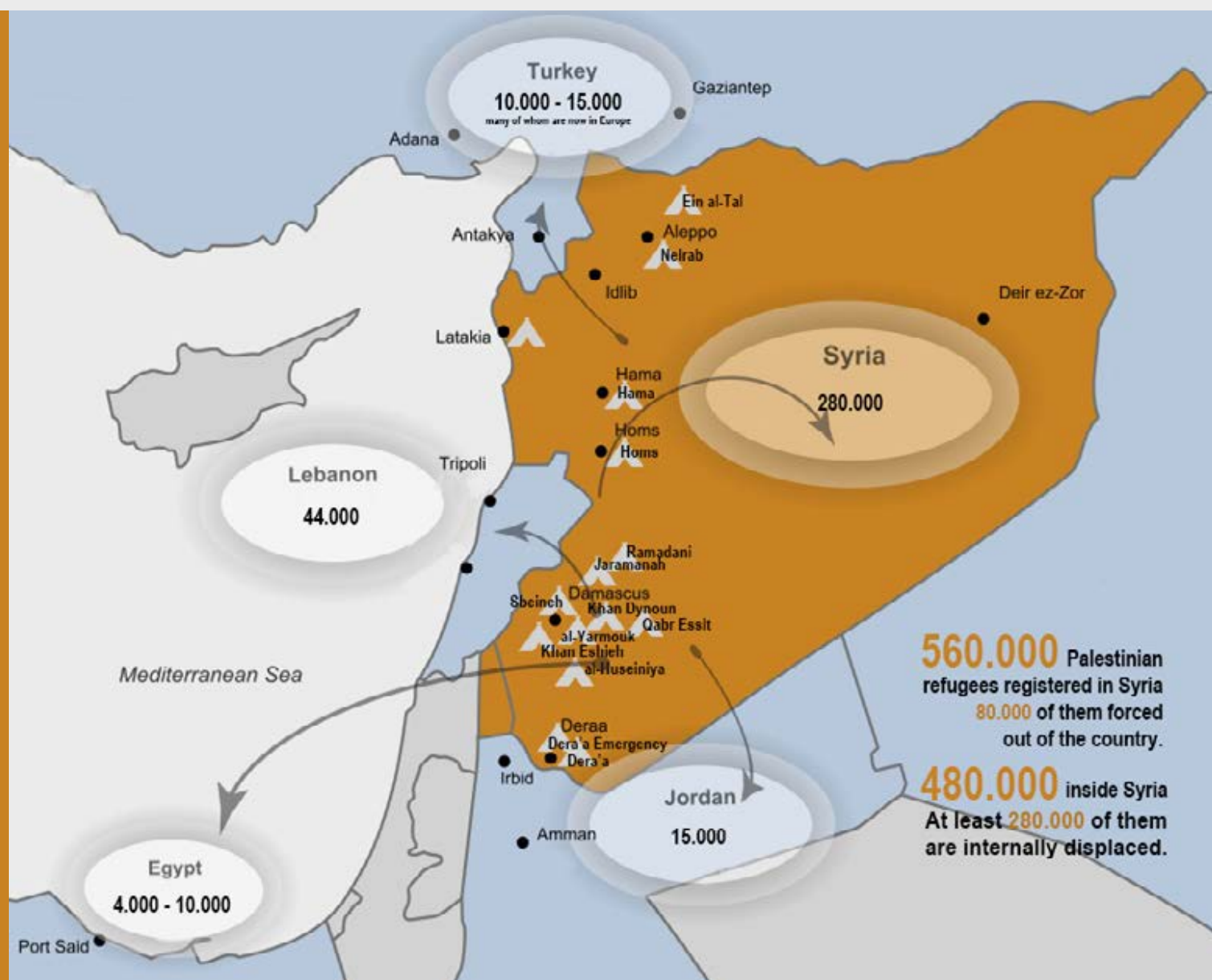
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BADIL Resource Center for Palestinian Residency and Refugee Rights

PALESTINIAN REFUGEES FROM SYRIA: ONGOING NAKBA, ONGOING DISCRIMINATION

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Front cover map: The map shows the displacement of Palestinian refugees from Syria to Lebanon, Jordan, Egypt, Turkey, and also the internal displacement within Syria. This map does not cover the whole extent of the displacement of Palestinian refugees from Syria.

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Editorial



Palestinian Refugees from Syria at the Turkish border. 2014 (source: albwaba.com)

The crisis that broke out in Syria in 2011 has had devastating consequences on the country and its inhabitants. Regarding the Palestinian refugees, the legal and political context in which they find themselves makes them an especially vulnerable group. There were 560,000 Palestinian refugees registered with UNRWA in Syria when the conflict erupted. By April 2015, at least 80,000 have been forced to leave the country. 44,000 found their way into Lebanon and 15,000 into Jordan before these countries closed their borders to Palestinian refugees from Syria.¹ Of the 480,000 Palestinian refugees remaining in the country, 280,000 are internally displaced, and 95% are in continuous need of humanitarian assistance. Despite the harsh circumstances they endure in Lebanon and Jordan, UNRWA estimates the numbers will grow by the end of the year.²

As the number of refugees fleeing Syria increases by the day and the gaps in protection continue to widen, Syrian refugees are not receiving adequate protection in the host countries, and Palestinian refugees from Syria are particularly suffering from secondary displacement and discrimination.

This issue of al-Majdal is the second half of a two-issue focus on Palestinian refugees in/from Syria. In the previous issue we covered the situation of Palestinian refugees from Syria in Lebanon and Jordan. In this issue we present an account of their situation in Syria, Egypt and Turkey. These two publications provide the most up-to-date data on Palestinian Refugees in and from Syria, those who remain in Syria and those who fled to neighboring countries. This issue addresses the obstacles and protection gaps Palestinian refugees from Syria suffer from when they are displaced inside Syria, and when trying to escape to other countries. We give an account of the widespread internal displacement and a special focus on the circumstances surrounding al-Yarmouk refugee camp. At the time of the editing of this issue, al-Yarmouk refugee camp in Damascus was being attacked by the Islamic State of Iraq and Syria (ISIS), al-Nusra Front, and other Islamic militias.³ This issue also includes two

sections on Egypt and Turkey with different accounts and an overview of the situation of Palestinian refugees in those countries.

There were 560,000 Palestinian refugees registered with UNRWA in Syria when the conflict erupted. By April 2015, at least 80,000 have been forced to leave the country. 44,000 found their way into Lebanon and 15,000 into Jordan before these countries closed their borders to Palestinian refugees from Syria. Of the 480,000 Palestinian refugees remaining in the country, 280,000 are internally displaced, and 95% are in continuous need of humanitarian assistance.

Approximately 4,000 Palestinian refugees from Syria have been reported in Egypt, with local groups claimed that there are at least 10,000.⁴ The remaining 10,000-15,000 escaped towards Turkey and from there many of them fled to Europe, by sea or by land.⁵ The forced secondary displacement suffered by Palestinian refugees from Syria is not a new phenomenon. Many Palestinians who sought refuge outside their homeland experienced further forced displacement. With their right to a nationality, identity and travel document denied by Israel, these Palestinians became stateless refugees who have been particularly vulnerable to the impacts of armed conflicts and human rights violations in their respective host countries.

The level of protection provided to Palestinian refugees under Arab regional and national instruments and mechanisms is significantly low. All host states are obliged to protect Palestinian refugees in accordance with the international standards set by the human rights conventions they are party to, and under international law. Most states, however, fail to protect Palestinian refugees according to these standards. This issue grows more important as instability increases in states hosting Palestinian refugees. Palestinians face new dangers in their host states that render them unable to remain in their present place of refuge or to return to their places of origin long since dispossessed by Israel.

Since Israel is the only state from which Palestinian refugees originated, it is their only state of origin and thus is required under international law to allow these refugees to return. The right of return would end the cycle of forced population transfer endured by Palestinians for 67 years. However, Palestinian refugees are entitled to full protection until they are afforded reparation including return, restitution and compensation. Short of that, immediate attention and care must be given to this vulnerable population in/from Syria, and the discriminatory policies must end, in order to afford Palestinian refugees fleeing Syria adequate protection.

Endnotes

1. Their situation in these countries is extremely vulnerable, as we analyzed in-depth in our previous issue of Al-Majdal (see: http://badil.org/Al-majdal/item/2083-editorial#_ednref18).
2. UNRWA, "Syria Crisis | UNRWA."
3. Martin Chulov and Kareem Shaheen, "Isis Closes in on Damascus after Seizing al-Yarmouk Refugee Camp."
4. Human Rights Watch, "Egypt: Syria Refugees Detained, Coerced to Return."
5. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 27.

Palestinian Refugees in Syria: an overview

by Katrien De Bock*



"Ambulance"; Body of starved man carried on pushcart in al-Yarmouk. 29 January 2014 (Source: WorldBulletin.net)

Soon after the outbreak of the crisis in Syria in 2011, the official spokesperson of UNRWA, Christopher Gunness, urged "to preserve the neutrality of the Palestinian refugees in Syria, so that the fulfillment of their needs continues".¹ This impartiality, however, did not prevent Palestinian refugees from becoming victims of the conflict. The residents of Palestinian refugee camps in Syria bear very harsh conditions as they are no longer guaranteed basic standards of living. Many camps have turned into battlefields and their streets are under the control of snipers, often becoming the focus point of violent attacks.²

In August 2011, the Syrian Army invaded the Palestinian refugee camp of al-Ramel³ in the city of Latakia, forcing the displacement of approximately 5,000 Palestinians. On 16 December 2012, the Syrian army bombed al-Yarmouk camp, killing tens of civilians and causing mass displacement. As a result, the population of al-Yarmouk was reduced from 160,000 to 30,000. Four months later, on 26 April 2013, "following months of sporadic armed engagements", 6,000 residents of Ein Al-Tal refugee camp were forcibly displaced.⁴ Today, five Palestinian refugee camps in Syria remain inaccessible. The camp of Khan Eshieh is besieged by mortar shelling and clashes, with the presence of armed groups inside the camp. Here, Palestinians are allowed to leave the camp in order to receive food assistance, but they are not allowed to bring anything else back into the camp. Al-Yarmouk camp experiences ongoing clashes and shelling, and Ein Al-Tal suffered from intense clashes in January 2015.⁵

In 2011, approximately 61% of the Palestinian refugees lived in the 15 Palestinian camps in Syria.⁶ By November 2013, this percentage fell to half, as only 27% of the registered Palestinian refugees remained in camps.⁷ By the end of November 2014, all 26,487 residents of Sbeineh refugee camp, the 32,533 residents of al-Huseiniya camp as well as the 6,385 Palestinian refugees of Ein Al-Tal camp, were displaced as ongoing violence turned the camps into empty places.⁸ In February 2015, the Action Group for Palestinians in Syria announced that 2,629 Palestinian refugees had died during the Syrian crisis. At least 286 victims were killed by torture and 267 by sniper fire. Furthermore, 84 refugees were executed, and 986 were killed in different bombings.⁹

The rates of internal displacement of refugees increase every day. More than 75% of the refugees residing in camps have been displaced inland. Most of them were forcibly displaced several times.¹⁰ So far, more than 80,000 Palestinian refugees have fled to neighboring countries while at least 480,000 Palestinian refugees still remain in Syria. All of them are in continuous need of humanitarian aid.¹¹

The Rights of Palestinian refugees in Syria

Compared to other countries, Palestinian refugees in Syria received an adequate level of protection before the start of the present conflict.¹² Registered refugees were treated relatively well as they enjoyed almost the same rights as Syrian nationals, with the exception of citizenship and the right to vote. In January 1949, the Syrian government created the Bureau for Palestinian Arab Refugees, later known as the General Authority for Palestinian Arab Refugees (GAPAR), representing “the main Syrian government body that engages with Palestinian refugees”, with “an active presence in Palestinian refugee camps”. GAPAR became responsible for organizing, relieving and securing the needs of Palestinian refugees, and allocating suitable jobs for them. Syria also implemented different Arab League resolutions such as the Casablanca Protocol, which is supposed to grant Palestinian refugees full access to education, no restriction on employment and travel, and only a few restrictions with regard to ownership of property.¹³

After the eruption of the Syrian conflict, however, Palestinian refugees were deprived of many rights, and at the moment most of them face the continuous risk of being arbitrarily arrested or tortured. In 2012, the Ministry of Education and Higher Education even excluded Palestinian students from its public schools.¹⁴

Camps as shelters

Although located in the center of confrontations, some refugee camps serve as a safe haven for displaced Palestinians and Syrians. Until the end of 2012, al-Yarmouk camp was a shelter for thousands of displaced Syrians as well as Palestinians.¹⁵ The military attack in December 2012, however, displaced almost 80% of the entire camp. The Syrian regime has been imposing a blockade on the camp since July 2013, denying residents all access to food or medicine. As of late April 2015, the residents of al-Yarmouk had undergone more than 656 days under siege, while power was cut for at least 736 days and without any access to water for 226 days.¹⁶ More than 1,053 Palestinian al-Yarmouk residents died,¹⁷ at least 128 of them from starvation.¹⁸

Further away from most violent areas, Jaramana camp represents an important shelter for Palestinians, accommodating nearly 5,000 displaced families, mainly from al-Yarmouk, Qabr Essit and Sbeineh camps, and from al-Thyabiah, a town north of al-Huseiniya camp.

However, the camp started to suffer from overcrowding as the massive displacement of the Palestinian camps in the region of Damascus kept growing.¹⁹ Similarly, Khan Dynoun refugee camp in the south of Damascus, hosts thousands of displaced people, especially from al-Yarmouk, al-Huseiniya, Qabr Essit, and Sbeineh refugee camps. Also in this camp, residents suffer from a deteriorating economic situation as overcrowding, inaccessibility to goods and high unemployment rates are resulting in an acute shortage of food and medical supplies.²⁰ Given the scale of displacement, many UNRWA schools have opened their doors to accommodate people fleeing their homes.

The lack of means to coordinate the provision of services makes the work of UNRWA, Palestinian factions, Popular Committees and institutions increasingly difficult.²¹ Today, the proportion of Palestinian refugees in Syria requiring assistance from UNRWA has increased to over 90%. This situation leaves them largely dependent on funding from the international community.²²

As of June 2014, the number of internally displaced people in Syria was approximately 6.8 million, 280,000 of whom are Palestinian refugees.

Endnotes

1. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 53.
2. Ibid., 42.
3. Al-Ramel is an unofficial camp, known as the Latakia camp.
4. BADIL Staff, "Palestinian Refugees from Syria: Ongoing Nakba, Ongoing Discrimination," 3.
5. UNRWA, "Syria Regional Crisis Response Update 84," February 27, 2015.
6. BADIL Resource Center for Palestinian Residency and Refugee Rights, *Survey, 2010-2012*, VI:13.
7. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 6.
8. Action Group for Palestinians of Syria, *Camps without Refugees*.
9. Action Group for Palestinians of Syria, *Daily Report on the Situation of Palestinian Refugees in Syria*.
10. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 33.
11. UNRWA, *Syria Regional Crisis Emergency Appeal 2015*, 2.
12. BADIL, *Rights in Principle - Rights in Practice*, 233.
13. BADIL Staff, "Palestinian Refugees from Syria: Ongoing Nakba, Ongoing Discrimination," 2–3.
14. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 32.
15. Ibid., 53.
16. Action Group for Palestinians of Syria, *Civic Council in Besieged al-Yarmouk Camp: al-Yarmouk Camp Is Dying, We Demand the Return of Normal Life*.
17. Action Group for Palestinians of Syria, *The Detailed Statistics of the Palestinian Refugee Victims in Syria, 2011-2015*, 2011–2015.
18. <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/10686208/Syrian-forces-committing-war-crimes-by-starving-Palestinian-camp.html>
19. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 12.
20. Action Group for Palestinians of Syria, "Khan Dannon Camp Hosts Thousands of People from the Camps That Have Deteriorated Security Conditions."
21. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), *Report on the Conditions of Palestinian Refugees in Syria*, 54.
22. Noura Erakat, "Palestinian Refugees and the Syrian Uprising: Filling the Protection Gap during Secondary Forced Displacement," 611.

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The Current Situation of Palestinians in Syria: An Eye-witness Testimony¹

by Dr Ali Badwan*



Rubble and heavy damage to al-Yarmouk refugee camp in Damascus, Syria. 9 April 2015 (© AP Photo).

Before it had been affected by the conflict, al-Yarmouk refugee camp received more displaced Syrians than Turkey and Jordan. However, at the moment the living conditions at al-Yarmouk are growing grimmer by the day. Beginning in mid-December 2012, its inhabitants started to leave the camp, marking a new Palestinian displacement. Ever since, the majority of residents of al-Yarmouk have been displaced to Damascus and its surrounding area. Lacking shelter and sustenance, those displaced are experiencing very harsh conditions, as both Palestinians and Syrians lost their livelihoods. Al-Yarmouk used to be a significant commercial and industrial hub, accommodating several major markets within the boundaries of the city of Damascus. Palestinian and Syrian inhabitants of the camp have sustained irreparable damage. In addition to many casualties, al-Fida'iya neighborhood in the camp has been largely destroyed.²

The greatest single predicament that affects displaced inhabitants of al-Yarmouk, as well as all Palestinian communities in Syria in general, is a deteriorated economic situation. Palestinians have been left homeless in the cold winter of Syria in 2013, 2014, and 2015. In light of increasing prices and declining economic and production input across the country, the majority of Palestinians are incapable of renting or affording the exorbitant costs of new homes. The suffering of those who remain in the camp (approximately 18,000 Palestinians) is compounded by declining standards of living and untenable daily sustenance, including food, medicine, fuel and electricity.

Legal Status

As early as 2015, almost 560,000 Palestinian refugees were registered with UNWRA and the Syrian General Authority of Arab Palestinian Refugees in the Arab Republic of Syria. According to Syrian regulations, like Syrian citizens, Palestinian refugees who arrived in the Syrian territory after 15 May 1948 were subject to Syrian civil laws. Law No. 260 was passed unanimously by the Syrian Parliament, and signed by the President Shukri al-Quwatli in 10 July 1956. Regarding rights and obligations, the law emphasizes full equality between Palestinian refugees who had arrived in Syria before this law was promulgated and Syrian citizens. The only differences are in the right to nationality, including Syrian identity card and passport, as well as participation in parliamentary and presidential elections.³

Another group is composed of Palestinians who settled in Syria after Law No. 260 had been enacted; i.e. after July 1956. Having been registered by the General Authority of Arab Palestinian Refugees (GAPAR) and UNRWA, these Palestinian refugees are subject to the same rights and obligations of the first Palestinian comers. However, they can only access the labor market through temporary contracts, and they are exempt from compulsory military service. Palestinian refugees who arrived in Syria after 1967, are treated like this latter group.

Distribution of Palestinian refugees in Syria

Palestinian refugees live in 15 camps in Syria, as well as in Syrian cities. The majority of Palestinian refugee camps and communities are located in the Damascus area. Published statistics show that the refugee camps located in Damascus accommodate almost 59% of Palestinian refugees. 75.9% of the total registered Palestinian refugee population in Syria used to live in al-Yarmouk refugee camp (150,000), making it the largest Palestinian community in the diaspora. 6% of the Palestinian refugees live in the Dera'a refugee camp and in al-Muzeirib, a Syrian town containing a residential compound for 8,500 Palestinian refugees; 4.7% in Homs city and Homs refugee camp; 2% in Hama refugee camp; and 2.2% in al-Ramel refugee camp of Latakia. Aleppo provides shelter to 7.3% of the total Palestinian

refugee population in Syria. Of these, 73.3% live in the Neirab and Ein Al-Tal refugee camps.⁴



Qabr Essit camp is located on the road to as-Suweida governorate southeast of Damascus city; Jaramana refugee camp is on the road to the International Airport southeast of Damascus; Khan Dynoun refugee camp is located on the Damascus-Dera'a highway south of Damascus; Khan Eshieh refugee camp is on the road to Al-Quneitra,

Golan Heights, west of Damascus. Being only 60 kilometers away from the border, this camp is the nearest to Palestine; al-Huseiniya refugee camp is located far southeast of Damascus; Sbeineh refugee camp, south of Damascus; Ramadani refugee camp is located on the Baghdad road east of Damascus.⁵ In northern, central and coastal areas of Syria, Palestinian refugees are concentrated in the Neirab and Ein el-Tal refugee camps in Aleppo; Homs refugee camp in Homs; Hama refugee camp in Hama; and al-Ramel refugee camp in Latakia. In the south of Syria, Palestinian refugees live in the Dera'a city, Dera'a and Muzeirib refugee camps, and Dera'a Emergency camp. Several hundred Palestinian families scatter around Huran villages in southern Syria.⁶

Although UNRWA officially recognizes ten camps only, it delivers healthcare, education and social relief services to all refugee camps. UNRWA schools are run in all Palestinian communities and refugee camps, as well as across Damascus city. Unrecognized refugee camps include al-Yarmouk, Ramadani, and al-Huseiniya in Damascus; Ein el-Tal in Aleppo, and al-Ramel in Latakia.

Secondary Displacement

During the beginning of the Syrian crisis, Palestinian inhabitants of al-Yarmouk have been displaced for the second time after the 1948 *Nakba* to Damascus. These include al-Amin, al-Maydan, az-Zahira, al-Qa'a, al-Baramika, al-Mazza, Dahiyat Qudsiya, Damar, Damar Project, Sahnaya, al-Ashrafiya, Jaramana, Damascus Industrial Zone, and to buildings housing the UNRWA Vocational Training Centre in al-Mazza. They have also moved to the City of Palestine Martyrs and Mujahedeen's Sons in the Adra area in the north-eastern of Damascus countryside. Others were forced to leave for relatively stable Palestinian refugee camps and communities, including Khan Dynoun on the Damascus-Dera'a road and Jaramana refugee camp southeast of Damascus.⁷ According to the UNRWA, "the war in Syria has caused the displacement of almost three quarters of Palestinian refugees from their refugee camps across Syria. Of these, 70-80% are now displaced due to the conflict around the country."⁸

The scale of the conflict forced Palestinians to seek refuge outside of Syria. Thousands fled to Lebanon, where many Palestinian refugees have family ties. However, in August 2013 Lebanon closed its borders to Palestinians coming from Syria. The same happened in Jordan, where the Jordanian authorities closed the border to Palestinian refugees in April 2012, while leaving it open for Syrian refugees. Some Palestinian refugees from Syria managed to find shelter in Egypt. However, the unwelcoming policies of the neighboring states towards Palestinian refugees, in addition to the lack of action of the PLO and the majority of Palestinian factions, have forced thousands to try to reach Europe by using the so-called *death boats* to cross the Mediterranean Sea.

The Palestinians of Syria are hanging in the balance at a time of forced displacement. Whether they are at sea or inside al-Yarmouk refugee camp, Palestinian refugees are at the mercy of a fate that haunts down all children, women, youth, and the elderly. Under such circumstances, the Palestinians of Syria cannot be blamed for leaving and migrating to other foreign countries. Ultimately, Syrians can resort to neighborhoods of their own cities, towns or villages. Options are open to them. Palestinian refugees do not have many options.

Fear and distress are now visible in the eyes of all inhabitants of al-Yarmouk refugee camp as well as of the general Palestinian refugee population across Syria. In their heart lies the panic of copied painful experiences in the journey of tragedy witnessed by successive Palestinian generations since the *Nakba*.

In 1974, Israeli combat aircraft completely destroyed and pulled to the ground the Nabatiyeh refugee camp in Lebanon.⁹ In 1976, during the Lebanese Civil War, the Dbayeh and Jisr Al-Bashah refugee camps in East Beirut were destroyed together with al-Karantina compound in Eastern Beirut. In summer 1976, the Tel al-Zaatar refugee camp in East Beirut was destroyed. Recently, similar incidents have affected the Jenin refugee camp in the West Bank and Nahr el-Bared refugee camp near Tripoli, in northern Lebanon. Will al-Yarmouk and other refugee camps in Syria face a similar destiny? With almost double the population of the previously mentioned communities, the tragedy that affects al-Yarmouk refugee camp has the potential to become a calamity in the broadest sense of the word - God forbid.

Fear and distress are now visible in the eyes of all inhabitants of al-Yarmouk refugee camp as well as of the general Palestinian refugee population across Syria. In their heart lies the panic of copied painful experiences in the journey of tragedy witnessed by successive Palestinian generations since the Nakba.

Endnotes

1. Editorial Note: this article was submitted before ISIS invaded the camp.
2. On 24 July 2014, a few days before he had resigned his office, Filippo Grandi, former Commissioner General of the United Nations Works and Relief Agency (UNRWA), visited the destroyed block near to the entrance to the al-Yarmouk refugee camp. According to the UNRWA press statement, Grandi felt shocked at the status of Palestinian refugees he spoke with as well as at the scale of damage caused to their homes. Grandi followed up on distribution of urgent humanitarian aid to Palestinian inhabitants, who remained in the refugee camp. He stated: "I am particularly alarmed by what I have seen today. Palestinian refugees I talked to have suffered a great deal. Many clearly needed immediate support, particularly food and medical treatment. What I have seen and heard today highlights the need for a timely implementation of the Security Council Resolution 2139 to ease humanitarian aid delivery and provide relief. All parties should adhere to implementing this resolution."
3. See Syrian Ministry of Social Affairs, General Authority of Arab Palestinian Refugees, *Brochure of Decrees and Laws on Palestinian Refugees Residing in the Arab Republic of Syria*, Damascus, 2001.
4. According to data released by the General Authority of Arab Palestinian Refugees in Syria and other sources, including Badwan Ali, *Palestinians in Syria: Ascent to the Homeland*, Dar Al-Manarah, Damascus, 2004.
5. Badwan Ali, *Palestinians in Syria: Ascent to the Homeland*, Dar Al-Manarah, Damascus, 2004.
6. Ibid.
7. Several sources, including the General Authority of Arab Palestinian Refugees in Syria, UNRWA, and field research carried out by the author.
8. UNRWA, "Statement by the Commissioner-General on Palestine. Refugees Trapped inside al-Yarmouk."
9. UNRWA, "Israeli Air Raids."

* Dr. Ali Badwan, a Palestinian writer and a political analyst lives in Syria. Dr. Badwan was born in al-Yarmouk refugee camp in Damascus, after his family was forcibly displaced from Haifa to Syria during the Nakba in 1948. The author is a local resident and first-hand witness to the ordeal that befell the al-Yarmouk refugee camp.

Militant Conversion and Transformation of Palestinian Civil Society Organizations in al-Yarmouk¹

by Valentina Napolitano*



(Source: Jafra Foundation, via Valentina Napolitano)

When protests against the regime of the Assad family first started during March 2011, al-Yarmouk camp,² much like other Palestinian refugee camps, found itself inserted in a rapidly changing environment. The Palestinian stance and participation has been forged, on the one hand, by the politically sensitive status of this community, and, on the other hand, by the geographical evolution of the Syrian mobilization as well as the shift which occurred in the very nature of the uprising from a series of peaceful actions to a full-scale military conflict.

Al-Yarmouk camp attempted to have a neutral stance, and with the spreading of protests in the country. However, with the increasing of armed clashes in neighborhoods around the camp, Palestinians became progressively engaged in the armed conflict. The bombardments by the Syrian air force in December 2012 caused a massive displacement of residents out of the camp.³ Currently, al-Yarmouk inhabitants are estimated at 18,000 people, who since July 2013 are enduring a siege by the regime forces and its Palestinian ally, the Popular Front for the Liberation of Palestine – General Command (PFLP-GC), who blocked the circulation of people and food provisions.⁴

Before the beginning of the Syrian crisis, al-Yarmouk camp was known as being the biggest Palestinian

agglomerate in Syria and the main center of political and social activities in the country. Despite refugee marginalization by the Palestinian national movement, after the signature of the Oslo accords in 1993, and the restrictions imposed to them by the Syrian regime, al-Yarmouk camp succeeded in conserving a network of political and social organizations mobilizing for their national cause.



(Source: Jafra Foundation Facebook page, via Valentina Napolitano)

When the Syrian anti-regime mobilization started, the Palestinian social and political networks underwent a process of transformation and conversion. Parts of the nationalist organizations provided an organizational basis for the mobilization of Palestinians within the ranks of the uprising. Moreover, as in other Syrian cities and villages, the uprising led to the formation in al-Yarmouk of completely new civil organizations created in order to manage different aspects of anti-regime mobilization and, above all, the management of the humanitarian crisis. This paper will argue that because of the previous existence of national networks, Palestinians in Syria are able to exploit their long dated social and political skills to face the new crisis. They also are able to propose new forms of collective organizations which would play a key role in the reconstruction of the camp in a post-conflict phase.

First forms of collective action appeared in summer 2012. Similar to several Syrian cities and villages, a “coordination committee” was formed in al-Yarmouk.

Humanitarian Assistance

Different to other Palestinian refugee camps in the cities of Dera’a,⁵ Latakia⁶ and Homs⁷ which were affected by the conflict from the beginning,⁸ al-Yarmouk camp succeeded in keeping a neutral position during the first year of the uprising, because of the less involvement of Damascus city in the mobilization. During this time al-Yarmouk played a central role in hosting displaced Syrians who fled bombarded regions. First came residents of Homs, and later people from adjacent neighborhoods. “In the beginning, Syrians came to take shelter in the camp because they were sure that the regime was

not going to touch Palestinians!” said Basela, 45 years old, who together with other Palestinians and Syrians started at that time to work in the organization of relief effort to those displaced:

We founded the organization for the Syrian-Palestinian contact, because we wanted to do something in order to show that we, Palestinians, were active in the Revolution. There we started to distribute food baskets to the displaced while we were scotching underneath it signs which read “Syrian-Palestinian Contact”. We wanted to change the image that Syrians had about us! We started to collect donations from the shops of the camp. At that time, many people worked individually, simple people as old as my mother who went to collect donations from the houses of friends and parents.

Palestinians of al-Yarmouk were firstly individually mobilized in humanitarian help to displaced Syrians. They took part in protests happening in other areas mainly in the neighboring quarter of Midan, with the aim to avoid the identification of the camp to the Syrian opposition. During this time, al-Yarmouk camp was uniquely the theatre of “flash mob” protests which were rapidly dispersed by the regime forces. Mass protests occurred after the *Nakba* and the *Naksa* (referring to the Arab defeat in the 1967 War) commemorations in May and June 2011, but these were still connected to the national Palestinian question,⁹ even if the regime attempted to manipulate them.

First forms of collective action appeared in summer 2012. Similar to several Syrian cities and villages, a “coordination committee” was formed in al-Yarmouk. Whilst these forms of collective organizations played a central role in coordinating protests and diffusing information, the committee in al-Yarmouk has had a marginal role. This is so because of the existence of main local actors which took charge of the management of the crisis situation but also because of the weak implication of al-Yarmouk in the first phase of the peaceful anti-regime mobilization during which committees grow up.

The camp failover towards the uprising is evident by the mass procession organized on 14 July 2012. The next day after the neighboring quarter of Tadamon (where both Syrians and Palestinians live) was shelled, funerals coming out of al-Yarmouk camp mobilized thousands of people in the streets. Since this protest, which took an open anti-regime tone, the immunity which Palestinians enjoyed until then disappeared. “Before, when they used to arrest us the police treated us well as Palestinians. After having looked at our identity card they would let us walk...but after the Tadamon shelling we became all associated with revolution.” said Basela. Al-Yarmouk camp was no longer a secure shelter. In September 2012, the Free Syrian Army took control of the camp, which became a battlefield between opponents and the regular regime forces. The humanitarian crisis that had resulted from the shelling of the Tadamon neighborhood favored the emergence of a number of civil organizations in al-Yarmouk and it provoked also a new posturing for social actors which were already active in the camp itself.

Self-management

Many social organizations (charity associations, youth and training centers, sport clubs, etc.) independent or belonging to Palestinian national movement,¹⁰ transformed during the uprising in humanitarian organizations, as the *Jafra* youth center. Founded in the 2000s by a group of young people, *Jafra* is one of the numerous independent associations that have been created to coordinate the solidarity mobilization with the Second Intifada in the occupied Palestinian territory. “The idea

of the center was born after the Second Intifada” said Hazem, a young man in his thirties and founder of the centre. He continued:

At that time, many young people wanted to implicate themselves in political and cultural activities. After Oslo, all political organizations abandoned the youth in order to focus on these internal politics. This is why the youth did not trust those organizations and tried instead to mobilize themselves outside them by creating independent associations.

With the eruption of the Syrian uprising, Jafra youth found themselves confronted with new priorities engendered by the uprising and by the arrival of displaced Syrians into the camp itself:

After the shelling of Tadamon we realized that there was a need to help and that this would be an organizational effort. We also wanted to attract the youth into humanitarian work while at the same time distancing ourselves as much as we could from the side of armed action.

Moreover, the Syrian uprising was behind the emergence of a number of activists and new social structures within al-Yarmouk, as well as other Syrian regions. These would manage the collective life after the withdrawal of the Syrian governmental institutions. This has been particularly visible in the north of the country, where many regions fell under the control of the Syrian opposition and where an alternative administration has been built up.¹¹

In al-Yarmouk, the local administration has been ensured by civil organizations and a ‘local council’ composed by representatives of the Palestinian national movement, of armed militias and civil organizations. In addition to that, many ‘alternative schools’ were opened up to face the closing of UNRWA’s institutions. “During the summer 2012 many massacres occurred provoking the death of many Palestinians, among them many young students”, said Khalil Abu Salma, a 48-year old teacher, who is the principal founder of the project. He continues:

With the starting of the school year, all parents were afraid to send their children to schools. My wife and I are both teachers, we did not want our children to stop their studies. For us, Palestinians, education represents the only means to secure our future. For this reason, we decided to give lessons to our children and those of our friends in a room of our house.

As a consequence of the siege imposed on al-Yarmouk, the number of children in need of schooling grew to four thousand. ‘Alternative schools’ have officially been recognized by UNRWA, which nevertheless remained less implicated in sponsoring them.

Jafra and the “alternative schools” are two examples of Palestinian civil organizations created to face the Syrian crisis. The development of *Jafra* shows how a juvenile association which was created to respond to specific expectations of young refugees inside al-Yarmouk, served as a basis to manage the humanitarian crisis. In addition, being previously known by the Syrian authorities, the group disposed as well of a larger margin of action whenever their activities remained limited to the humanitarian field. The “alternative schools” manifest the capability of new Palestinians activist to organize themselves and to manage the collective life in the camps facing the withdrawal of governmental and UNRWA institutions.

Endnotes

1. Editorial Note: this article was submitted before ISIS invaded the camp.
2. Located at 8 km south of the center of Damascus, al-Yarmouk Camp was created between 1954 and 1957 by Syrian authorities. This is why it is considered by UNRWA (United Nations Relief and Work Agency) as a “non-official” Camp and it was placed under the administration of the Damascus governorate. Before December of 2012 the number of al-Yarmouk residents amounted to 148500 Palestinians, representing the biggest Palestinian agglomerate in the country. It housed in addition to that an important number of Syrians. Al-Yarmouk’s total population in 2012 was estimated to be 250 000 persons.
3. Part of al-Yarmouk’s residents escaped to other sections of the capital in order to protect themselves from the raging fights (Al-Qudsayya, Sahnaya, Mazzeh and Jaramana), while others escaped to neighbouring countries. According to UNRWA statistics, published in 2015, almost 280,000 Palestinians coming from different camps would be displaced towards the interior of Syria. In Jordan, the agency registered 15,000 Palestinians and 44,000 were registered in Lebanon while close to 4,000 residents went to Egypt.
4. For more information about the siege see the report published Amnesty International “Squeezing the life out of al-Yarmouk. War Crimes Against Besieged Civilians”, March 2014, available at <http://www.amnesty.org/en/library/asset/MDE24/008/2014/en/c18cfe4d-1254-42f2-90df-e0fce7c762fc/mde240082014en.pdf>
5. The Dera’a Camp which was built between 1950 and 1951 harbored close to 10,000 Palestinians according to statistics published by UNRWA in 2010.
6. Al-Ramle Al-Filastiniyyi camp constructed in 1955 counted more than 10,000 Palestinians according to statistics published by UNRWA in 2010.
7. Al-Aidin camp constructed in 1949 counted close to 22,000 Palestinians according to UNRWA published statistics in 2010.
8. Such camps were positioned at the heart of the urban peripheries of the respective cities where the first anti-regime protests were organized. It is this geographic proximity which explains why Palestinians of those camps were implicated early in the organizing of aid to wounded Syrians attained by regime repression. In addition, these camps were massively hit by military operations carried out by security services and Syrian army attacks which were trying to smother protests.
9. On the 63th anniversary of the Nakba “a Walk of Return” (Masirat Al-‘Awda) was organized in the region bordering Golan Heights occupied by the Israeli army since 1967. This procession was organized in coordination with Palestinians in Lebanon, Jordan in addition to those of occupied territory who have also protested in the bordering zones to Israel, and tragically ended with the death of three Palestinians of the al-Yarmouk Camp who came under fire from the Israeli army. A second march was organized during the commemoration of Al-Naksa on the 5th June 2011 during which the previous Golan experience was repeated with a much higher toll of deaths where around 23 persons lost their lives. Next day, funerals were organized one more time in the al-Yarmouk camp where the 9 out of 23 dead came from. Slogans chanted denounced the instrumentalization of Palestinians by the Syrian regime and the FPLP-GC who encouraged the protests in the Golan Heights for political motifs linked to the crisis at hand. This second funeral procession ended therefore with an attack on the PFLP-GC bureau which was set to fire by the protesters. Clashes which occurred between the armed guards of Ahmad Jibril and the protesters caused at least 3 persons to be dead. About these protests see: Al-Hardaan, Anaheed (2012) “A Year on: The Palestinians in Syria”, *Syrian Studies Association Bulletin*, 17; Bitari, Nidal (2013) “Al-Yarmouk Refugee Camp and the Syrian Uprising: A View from Within”, *Journal of Palestine Studies*, (XLIII)1, autumn 2013, 62-78.
10. Before the brooking up of the Syrian uprising many Palestinians political actors were based in al-Yarmouk, among whom the most important are Fatah (which was not officially represented), Hamas, Islamic Jihad, PFLP, DFLP, PFLP-CG and Fatah Al-Intifada. According to the respective positions adopted by these actors toward the events, local social and political organization created by them underwent a process of transformation. In the case of Hamas, which brook up its relationship with the Syrian regime, in February 2012, local militant engaged in organizing humanitarian help and lately in armed fighting. Some of Hamas’ social organizations with an independent status converted in humanitarian organizations. The Islamic Jihad, who did not openly sever its relationship with Syrian authorities, played a very active humanitarian role while avoiding becoming a target to violent repression. IJMP founded an organization, the “Humanitarian group for the Palestinian people”, which did not officially worked under the name of the movement itself but which at the popular scale was known as financed by it and was among the most active organizations in al-Yarmouk.
11. Adam Baczko, Gilles Dorransoro, and Arthur Quesnay, “Building a Syrian State in a Time of Civil War.” The Carnegie Papers.

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Palestinian Refugees from Syria in Egypt: an overview

by Marjan Claes*



Palestinian families Protesting in front of the Palestinian Embassy in Cairo. 25 April 2013 (© Kareem Farid)

Prior to the Syrian Crisis, Egypt was home to approximately 50,000 Palestinian refugees who took refuge in its cities and villages after the Nakba of 1948 and the 1967 War.¹ Estimates reveal that approximately 13,000 Palestinians fled to Egypt upon the Nakba, and another 33,000 after 1967.² Since the Syrian uprising in late 2011, Egypt has turned into a refugee destination for both the Syrians and the Palestinian refugees from Syria alike. However, no exact data on the numbers of the Palestinian refugees of Syria taking refuge in Egypt exist. UNRWA has estimated the numbers to be around 4,000.³

The relationship between the Palestinian refugees and their Egyptian host is complex. Gamal Abdel Nasser's rule was a 'Golden Era' to the Palestinians in Egypt, since they were no longer labeled foreigners and treated as Egyptians on various levels including access to education, right to work, and right to state services. In 1965, Egypt ratified the Casablanca Protocol that granted Palestinian refugees right to residence, work and travel on the same footing as Egyptian nationals.⁴

Upon Nasser's succession by Sadat, the initiation of the peace process with Israel, and the assassination of the Minister of Culture by a renegade Palestinian faction, dynamics were destined to change.

Stigmatized by the Egyptian media and government, Palestinian refugees were subject to arrest and detention.⁵ Thus, laws and regulations pertaining to the Palestinian refugees were amended, and the treatment of Palestinians changed from being equated (on all levels) to Egyptian to being treated as foreigners. The aforementioned was accompanied by the denial of the Palestinian refugees from free education, employment, as well as residency, and applying restrictions on their right to ownership. Residency in particular became conditional upon a payment of fees, as well as provision of reason of stay (for instance education, work, marriage to an Egyptian). Failure to fulfill conditions meant risking detention and expulsion. Because of tight travel restrictions, many Palestinians residing in Egypt stranded in other Arab states, being denied access to the Egyptian territory.⁶ Palestinian refugees witnessed tightened employment restrictions and new prohibitions further limiting Palestinian access to education under Mubarak's rule.⁷

During Morsi's rule, Egypt had an open door policy towards refugees from Syria. Upon arrival, these refugees were granted a three-month tourist visa eligible for a single 60-day renewal.⁸ Nonetheless additional hurdles were created for Palestinian refugees who were only allowed entry if they arrived directly from Damascus airport into Cairo airport.⁹

Palestinian refugees are not considered refugees by the Egyptian government. Rather they are labeled as visitors or tourists. As such the Egyptian authorities do not allow Palestinians to register with UNHCR.¹⁰ The Egyptian authorities consider Palestinian refugees excluded from the 1951 Refugee Convention and UNHCR's mandate citing article 1D of the 1951 Refugee Convention. However, UNRWA has never been allowed to provide assistance for Palestinian refugees in Egypt. Because Egypt is not within UNRWA's area of operations, Palestinian refugees fall under article 1A of the Refugee Convention and under UNHCR's protection mandate. The effect of this policy is that currently no UN-agency is responsible for the protection and assistance of Palestinian refugees in Egypt.¹¹ As Palestinian refugees are not registered with UNHCR they cannot receive a residence permit delivered by the government. With no valid documentation they are at risk of arrest and forced removal.¹² Being displaced for a second time, Palestinian refugees do not have any prospect of a durable solution for their plight. Additionally they are not eligible to access food vouchers, medical support and other services UNHCR facilitates leaving them in an extremely vulnerable position caused by this protection gap.¹³

Upon the military led overthrowing of Morsi on 3 July 2013, the situation for Syrian and Palestinian refugees worsened. The crack down on the Muslim brotherhood by the Egyptian military led to the demonization of Palestinian refugees because of their alleged support for the Morsi regime and ties with the Muslim brotherhood. This political environment created a strong anti-Syrian and anti-Palestinian sentiment, which was translated in refugees from Syria being verbally attacked and threatened by the media and public figures. These events in turn led to the introduction of a restrictive migration policy.¹⁴ Since 8 July 2013, the military-backed interim government imposed 'temporary' entry requirements on refugees from Syria. An entry visa, typically valid for one month, and security clearance from the Egyptian National Security service is now required prior to arrival in Egypt. However, refugees from Syria are not receiving security clearance from the Egyptian National Security Service.¹⁵ These measures appeared to have led to the de facto closure of the border where refugees fleeing Syria have been denied entry and have been subsequently returned to Syria in violation of international law.¹⁶

Syrian and Palestinian refugees, amongst them children, face arbitrary arrest and unlawful detention in very poor conditions when apprehended on the territory for not having the necessary permits

to stay legally in Egypt or when attempting to leave Egypt in an illegal manner. Cases have been reported of Palestinian refugees being shot at by the Egyptian navy while attempting to escape discrimination and human rights violations. Two refugees were killed in September 2013, when the Egyptian navy opened fire at a boat headed towards Italy carrying Syrian and Palestinian refugees. All surviving refugees were unlawfully detained. Although the Public Prosecutor ordered their release, they were kept in detention by the National Security Department and deportation orders were issued against them. In general, those detained are given the ‘choice’ to be deported to a country where they can enter or to be detained indefinitely. The result is that Palestinian refugees are being forcibly returned to countries like Syria and Gaza where their lives are at risk. Cases were reported of collective expulsions to Damascus. This policy constitutes a direct contravention of the 1951 Refugee Convention to which Egypt is a signatory and the principle of *non-refoulement* enshrined in it.¹⁷

Endnotes

1. Oroub El-Abed, “The Forgotten Palestinians: How Palestinian Refugees Survive in Egypt,” 29–30.
2. Oroub El-Abed, “Palestinian Refugees of Egypt: What Exit Options Are Left for Them?,” 15.
3. UNRWA, *Syria Regional Crisis Response Update 84*, February 27, 2015.
4. Oroub El-Abed, “Palestinian Refugees of Egypt: What Exit Options Are Left for Them?,” 17.
5. Oroub El-Abed, *Unprotected: Palestinians in Egypt Since 1948*, 46.
6. Oroub El-Abed, “The Forgotten Palestinians: How Palestinian Refugees Survive in Egypt,” 30.
7. Oroub El-Abed, “Palestinian Refugees of Egypt: What Exit Options Are Left for Them?”
8. Akram et al., *Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*, 21.
9. Noura Erakat, “Palestinian Refugees and the Syrian Uprising: Filling the Protection Gap during Secondary Forced Displacement,” 608.
10. Akram et al., *Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*, 84.
11. Human Rights Watch, *Egypt: Syria Refugees Detained, Coerced to Return. Palestinians, Children Among Most Vulnerable*.
12. Akram et al., *Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*, 84.
13. Maysa Ayoub and Shaden Khallaf, “Syrian Refugees in Egypt: Challenges of a Politically Changing Environment,” 25.
14. Jasmin Fritzsche, “Demonizing Palestinian and Syrian Refugees in Egypt.”
15. Akram et al., *Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*, 84.
16. Amnesty International, *Egypt: “We Cannot Live Here Any More”: Refugees from Syria in Egypt*, 3.
17. *Ibid.*, 3–6.

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Egypt: a desperate refuge for Palestinians fleeing the Syrian conflict

by Leah Morrison*



Matrouh harbor, Alexandria, Egypt. 1 October 2014 (source: elfagr.org)

The Syrian conflict is entering its fourth year of destruction having impacted the entire population and forced millions to flee to neighboring countries. Among the nearly 3.8 million Syrians that have fled the country since 2011 are 80,000 Palestinians who previously lived in Syria and are now made refugees for a second, often third time. The conflict has affected all people from Syria, regardless of their religion or ethnicity, however Palestinians from Syria have been severely and disproportionately affected, apparent through the reception they have received by different host states, including Egypt.

It is estimated that between 4,000 and 10,000¹ Palestinian refugees from Syria have fled to Egypt since the beginning of the Syrian conflict. Exact figures are hard to obtain as registering Palestinian refugees in Egypt is complex, primarily as a result of the government's incorrect application of Article 1(D) of the 1951 Refugee Convention relating to the Status of Refugees (1951 Convention). As Egypt is not one of UNRWA's 'operational areas', Palestinian refugees (including those recently arriving from Syria) are entitled, as a matter of International Law, to the benefits of the 1951 Convention and come under the mandate of UNHCR. During the initial months of forced displacement from Syria, UNHCR had begun to register Palestinian refugees from Syria in Egypt until the Egyptian government had ordered the Agency to stop asserting that it is the responsibility of UNRWA, which retains only a liaison office in Cairo. The Egyptian authorities only permit UNHCR to advise and

assist Palestinian refugees but not register them, which essentially would open up the possibility for third country resettlement and enable Palestinian refugees from Syria to receive access to critical services such as subsidized healthcare.² Egypt has continued to incorrectly interpret Article 1(D) of the 1951 Convention, resulting in the extreme vulnerability of Palestinian refugees from Syria and a lack of protection and assistance from either UNHCR or UNRWA.

Unlawful Detention

Article 2 and 3 of the Egyptian Law of Entry prohibits foreigners to enter or leave Egypt without valid documentation or at an official border crossing. Since the beginning of the Syria conflict, Egyptian authorities have detained asylum seekers while at sea, in harbor or in some cases merely near to the coast, on suspicion that they are preparing to illegally enter or leave the country. Failing to comply with Article 2 and 3 of the Egyptian Law of Entry can lead to criminal trial and/or penalties that include imprisonment for up to six months and/or a fine and deportation from the country (Art. 41). These penalties are also applied to asylum seekers, despite the protections against such measures provided in the 1951 Convention, to which Egypt is signatory.³

Egyptian authorities have detained 1,500 refugees from Syria being held on charges of violating Egypt's Law of Entry. Many of the refugees were taken by the Egyptian police to police-station facilities on the grounds of national security and have been detained until they leave Egypt. While in detention, they have not received official explanations for why they are being held or provided with any recourse to legal representation to challenge their detention. Having been ordered by prosecutors, the detention has no legal basis in Egyptian law.

Conditions at the police station are reported to be overcrowded and substandard with reports of 30 males sharing one four meter by four meter cell, and one toilet. Doctors have been granted unofficial



Montaza police station in Alexandria. 31 October 2013 (source: Refugee Solidarity Movement)

access to these facilities and several refugees are reported to be requiring surgical procedures, with many suffering from skin conditions and insect bites due to overcrowding, stagnant water and unsanitary conditions.

In November 2014, 74 refugees aboard a boat fleeing from Turkey to Europe were arrested and detained by the Egyptian authorities when found stranded on Nelson Island. Although the public prosecutor ordered their release on 5 November, Egypt's Homeland Security instead issued orders for their deportation. The majority of these refugees are Palestinian refugees from Syria and among them are a reported 15 women, 15 minors, seven children under the age of ten and one ten-month-old child.⁴ On 9 February 2015, the detainees began a hunger strike demanding their release and aiming to bring international attention to the inhumane treatment by the Egyptian authorities and lack of international response.

Forced Returns

Egypt has been forcibly returning Palestinian refugees from Syria back to Syria, often through coercing their departure. The Egyptian authorities are reportedly informing refugees being held in detention that the only way to leave the prison facilities is to return to Syria. Moreover, a report from Human Rights Watch indicates that detained refugees have been forced into signing declarations stating that they are leaving Egypt voluntarily.⁵ The Working Group for the Palestinians of Syria confirmed that in December 2013, Egyptian authorities began a campaign of prosecutions against Palestinian refugees from Syria.⁶ The Egyptian authorities defended the campaign, claiming that the refugees held no legal residency permits, noting that the Egyptian Department of Immigration refuses to issue any type of residency permits for the Palestinian refugees and Syrians, who fled to Egypt.⁷

According to international human rights law, international refugee law and the 1951 Convention, all states are required to respect the principle of *non-refoulement*, prohibiting states from sending back asylum seekers to a place where their life or freedom would be threatened. Although specifically mentioned in numerous conventions and human rights treaties, the principle of *non-refoulement* is also considered a principle of customary law, and therefore is recognized as a principle that must be universally observed. Refugees are entitled to an individual consideration of their claim for asylum and according to the African Refugee Convention, Egypt must ensure to use its best endeavors to receive refugees and provide them asylum. The League of Arab States has attempted to raise the deportation issue with the Egyptian authorities but have thus far been unsuccessful.

Detention of Minors

Human Rights Watch reports that since August 2013, Egyptian authorities have detained over 250 children, Syrians and Palestinian Refugees from Syria, who have been kept in overcrowded and insanitary conditions without provisions for their basic needs.⁸ Unaccompanied children are also being detained despite having family nearby, leaving unaccompanied minors with unrelated adults and not adequately considering what is in the best interest of the child.

Egypt has signed and ratified the Convention on the Rights of the Child (CRC) and as such is obliged to always consider what is in the best interest of the child. Detaining children solely based on immigration status (or that of their parents) violates Article 78 of the CRC which states that

children should not be criminalized or subject to punitive measures because of their or their parents' migration status.⁹

Xenophobia

Prior to 2013, Palestinian Refugees from Syria found Egypt more hospitable than other countries surrounding Syria. However, Egypt's treatment of refugees has always been severely affected by the ever-changing political dynamics of the country. After the coup against former President Morsi in July 2013, a growing culture of xenophobic sentiments increased the harassment and negative perceptions towards refugees from Syria, both Syrian and Palestinian. As mentioned by Nader G. Attar, the Egyptian co-founder of Refugees Solidarity Movement in a report by Al-Jazeera, Egyptian television stations often show xenophobic rhetoric against Syrians and Palestinians.¹⁰ Rumors began that refugees from Syria had supported the former President and the Muslim Brotherhood that led to a change in the attitude towards refugees from Syria at both the local and national level.¹¹

In May 2013, hundreds of Palestinian Refugees from Syria began a 'sit-in' at the Palestinian Embassy in Cairo, demanding equal status with Syrian refugees in Egypt, who not only benefit from educational and health rights but the option of registration with the UNHCR, which provides financial assistance, educational grants, food coupons, protection from deportation, health care and counseling and resettlement.¹²

The harsh treatment and unwelcoming behavior exhibited towards refugees from Syria in Egypt are compelling many into life-threatening situations, including entrusting their lives to smugglers in order to embark on the dangerous journey across the Mediterranean Sea in hopes of a brighter future.¹³ On 17 September 2013, Egyptian authorities opened fire on a boat carrying approximately 200 Syrians and Palestinian refugees from Syria killing two and injuring two others.¹⁴ Reports show that the Egyptian authorities surrounded the boat moments after leaving the shore and proceeded to fire shots into the hull where refugees were tightly packed. An over-crowded boat carrying dozens of refugees from Syria heading for the Italian island of Lampedusa sank on 11 October 2013, killing 12 people.¹⁵

The overwhelming need of all those affected by the Syrian conflict has overshadowed some of the more vulnerable populations. The struggles of Palestinians from Syria have attracted far less media attention, but their fate is much worse. Those who fled to Egypt have found extremely little or non-existent support, and cannot return to Syria since two-thirds of Palestinian camps have been destroyed or caught up in the conflict. Palestinian refugees from Syria are finding few remaining doors open to them compared to their Syrian counterparts, clearly demonstrating the system of discrimination in place. Singled out for increasing restrictions on access to asylum, Palestinians have become the target of growing hostility within the host countries and communities.¹⁶

The treatment, protection and assistance provided to Palestinian refugees in the Arab states surrounding Syria, including Egypt, have thus far been inadequate, discriminatory and very often in blatant violation of International law.

The treatment, protection and assistance provided to Palestinian refugees in the Arab states surrounding Syria, including Egypt, have thus far been inadequate, discriminatory and very often in blatant violation of International law. Instances of discriminatory treatment, forced return, indefinite detention, border closures, detention of minors, violence and xenophobic attitudes characterizes the current treatment of Palestinian Refugees from Syria in the Middle East. Having been instrumental in excluding Palestinian refugees from the ambit of the 1951 Convention and mandate of UNHCR, Egypt and surrounding Arab states vowed to protect, assist and treat Palestinian refugees on par with their own citizens. However, these commitments made in the Casablanca Protocol have proved empty and the Palestinian community continues to struggle on a daily basis for survival and basic human rights.

The gap in protection and assistance for Palestinian refugees continues to deny Palestinians of their fundamental rights and freedoms and reverses hard won gains in their development and integration into host communities.¹⁷ Fleeing the Syrian conflict and the subsequent treatment of Palestinians at the hands of the Egyptian authorities demonstrates what will continue to happen to the Palestinian community under the current regional and international legal framework surrounding the protection of Palestinian refugees. Despite commendable efforts in providing for the increasing number of refugees arriving at their borders from Syria, Egypt and other host countries must provide asylum, treatment and status without discrimination and in line with international humanitarian principles.

Endnotes

1. UNRWA, "Syria Crisis | UNRWA" UNRWA has received reports of around 4,000 Palestine refugees from Syria in Egypt. Other sources estimate there are around 10,000.
2. Human Rights Watch, "Egypt: Syria Refugees Detained, Coerced to Return."
3. Global detention project, "Egypt Detention Profile."
4. Ben Norton, "Syrian, Palestinian Refugees on Hunger Strike to Protest Arbitrary Detention by Egypt."
5. Mariam Rizk, "HRW Report: Egypt Detains Syrian Refugees and Coerces Them out of the Country."
6. Al-Resalah, "Egyptian Authorities Detain Palestinian Refugees Fleeing Syria."
7. Ibid.
8. Human Rights Watch, "Egypt: Syria Refugees Detained, Coerced to Return."
9. Ibid.
10. Brenda Stoter, "Syrian Refugees Embark on Exodus from Egypt."
11. S.B., "No Place to Call Home."
12. Ibid.
13. Amnesty International, "Egypt: Boat Sinking Underlines Wider Tragedy for Refugees from Syria."
14. Human Rights Watch, "Egypt: Syria Refugees Detained, Coerced to Return."
15. Ibid.
16. Jessica Purkiss, "A Series on Statelessness: Palestinians Fleeing Death and Destruction in Syria Are Unwelcome Visitors in Host Countries."
17. Forced Migration Review, "The Syria Crisis, Displacement and Protection."

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The Palestinian-Syrian ‘protection gap’: inside an Egyptian police station

by Tom Rollins*



Anfoushy Detention Center in Alexandria, Egypt. 16 November 2014 (Photo by: Tom Rollins)

Detention is a key part of the story of irregular migration in the Mediterranean Sea. While much international press coverage has focused on high-profile boat tragedies, dramatic search and rescue operations, and increasingly, the impact of European Union policy, many thousands are detained each year for irregular migration across the Mediterranean. These protracted struggles with border authorities seemingly do not make as good a story.

In Egypt alone, more than 7,000 people have been detained since August 2013.¹ Activists and civil society organizations in Alexandria, Egypt's second largest city and its irregular gateway to Europe, are now bracing for another unprecedented year of irregular movement and detention of human beings attempting to reach perceived safety, security and futurity on the other side of the Mediterranean. The risks of a journey like this, increasingly known as the ‘trip of death’, are high, many of them well-known. But for Palestinian refugees from Syria attempting to leave Egypt's north coast, there are less visible, and perhaps less known, risks. Once a Palestinian refugee from Syria is detained in Egypt, systemic legal and protection challenges present themselves, often resulting in administrative detention and/or deportation, as well as rights abuses that contravene domestic Egyptian or international legal instruments.

The following account will focus on four Palestinian refugees from Syria's al-Yarmouk camp: 27-year-old Ramy Fathy, Abdullah al-Shehabi, 22, and his 15-year-old brother Omar, as well as 32-year-old Khaled al-Khalifa. Interviews were conducted by telephone and social media platforms during the course of their detention (ongoing at the time of writing) between September 2014 and March 2015.

From Syria to Karmouz

On 17 September 2014, Ramy Fathy was caught by Egyptian naval forces at sea. He had fled Syria a second time after an explosion killed his daughter and other relatives in Qudsiya, near Damascus, on 14 February. Ramy had first come to Egypt before the July 2013 visa regime introduced by Abdel Fattah al-Sisi's new government. He returned on the advice of his family (who said Qudsiya was relatively safe) and due to the atmosphere for refugees from Syria following the July 3 coup. Once at sea, the smuggling boat Ramy was travelling on had faced engine problems, not far from international waters. Ramy later described a sense of relief upon 'rescue,' amid assurances from the Egyptian authorities that they would be treated well — i.e. not as criminals.² This language was repeated the same night when Ramy was transferred to Anfoushy Youth Centre, a state-owned youth club and sports facility that briefly became the one site in the city exclusively used for immigration detention between September and November 2014. Tareq al-Mahdi, then Alexandria's governor, made a speech in front of Ramy's group (and television cameras), promising that "on the humanitarian and moral level, you are our guests."³ The refugees were given a meal wrapped in cellophane and told their stay at Anfoushy would be brief and tolerable. "We are not here to punish you for the mistake you have made," Mahdi said.⁴

On 30 September, another vessel carried Abdullah and Omar al-Shehabi, and Khaled al-Khalifa back in to port after apprehension at sea. Omar, a minor, was worried. Khaled was bereaved having recently lost his wife and son to the September boat tragedy that left up to 500 people dead when smugglers deliberately drowned their boat near Malta.⁵

Yousef al-Zaytouni, a 23-year-old Palestinian refugee from al-Yarmouk also on the boat, who was ultimately allowed to leave Egypt afterwards thanks to a student visa in a Gulf state, meanwhile reported that "there was the media taking lots of pictures, filming us [at the port]. It was good treatment when we were first caught."⁶

It soon became clear that this was not going to last. Weeks later, the group was taken — in handcuffs — to the immigration office in Alexandria, essentially to prepare deportation procedures.

More and more, it appeared Ramy, Abdullah, Omar and Khaled were being treated as criminals, not guests. This transformation was confirmed when an Interior Ministry official told state newspaper Al-Ahram in early February that refugees detained in Alexandria were "infiltrators," not "official refugees."⁷ After Anfoushy Youth Centre closed down, the group was separated and distributed across two different facilities. The conditions inside both stations were worse than Anfoushy, but also indicative of the inconsistency of Alexandria's immigration detention estate. While Abdullah, Omar and Khaled were separated from other detainees at Gomrok station, Ramy was held in a cell with criminal detainees in Muntazah Second. Meanwhile, camera-phone pictures sent by Yousef, also detained in Gomrok for a time, revealed that conditions inside were squalid.

Later, the group — reunited with Ramy — was transferred to Karmouz police station where, on 1

November, a group of 104 Syrian and Palestinian-Syrian refugees would join them. On 9 February 2015, at least 50 Karmouz detainees launched an open-ended hunger strike against their detention.⁸ After two weeks, that number dropped to about 30 hunger strikers following a visit by UNHCR representatives.

At the time of writing, Ramy, Abdullah, Omar and Khaled are still detained, as well as the 1 November group, in Karmouz, one of at least nine police stations, prisons or *ad hoc* shelters in Alexandria⁹ that are used as an informal detention estate for refugees, asylum seekers and migrants. Ramy, detained since 17 September 2014, is now the longest-held Palestinian-Syrian refugee in Alexandria since unprecedented migration flows began leaving the north coast in August 2013.¹⁰

Legal challenges in the ‘new diaspora’

On 16 December 2012, a Syrian MiG jet bombed al-Yarmouk camp.¹¹ Since then, the camp has been besieged, bombed and beset by fighting. Before 2011, Palestinian refugees who settled in Syria were generally regarded as among the best treated in the Arab world, faring “substantially better than in other countries” through comprehensive rights in terms of employment, education and social services — but, significantly, not citizenship.¹² (Ironically, Syria’s Law 260 (1957) stated that 1948 refugees also qualified for military conscription in the Syrian army, a reason why Ramy and Abdullah, both of military age, were particularly terrified of *refoulement*.¹³) Ramy, Abdullah, Omar and Khaled are all descendants of 1948 Nakba refugees, making them ‘Palestine refugees,’ a definition laid out in the 1949 UN General Assembly Resolution 302 (IV) that originally established UNRWA.

After Syria, secondary displacement has also created a complex legal situation for Palestinian refugees fleeing the conflict. According to the reservations of Arab governments at the time of the drafting of the 1951 Refugee Convention, Palestinians were excluded from the protection of the convention through Article 1D. While this may have originally been an attempt (on the part of Egypt and other Arab states involved in drafting the convention) to ensure Palestinians were not “relegated to a position of minor importance” amongst the world’s multiple diasporas, it is a precedent that has had far-reaching consequences.¹⁴ Article 1D states that the convention’s provisions “shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance” — generally understood to mean Palestinian refugees receiving assistance from UNRWA.

As descendants of 1948 ‘Palestine refugees,’ Ramy, Abdullah, Omar and Khaled all fit under UNRWA’s mandate for assistance within Syria. And, having left one of UNRWA’s official areas of operation (Gaza, Jordan, Lebanon, Syria and the West Bank) for Egypt, the four therefore become “*ipso facto* entitled to the benefits of the [1951] Convention,” according to Paragraph 8 of UNHCR’s October 2009 Revised Note on Article 1D of the 1951 Convention, because they are not receiving UNRWA protection or assistance.¹⁵ Additionally, according to UNHCR’s authoritative interpretation of Article 1D, UNHCR should therefore be able to provide international protection to Palestinians from Syria under the provisions of the 1951 Convention. However, for political or security reasons, the Egyptian government has never permitted this.

Syria’s ‘substantially better’ atmosphere for Palestinians before 2011 arguably reflects one of the region’s most faithful adoptions of the Arab League’s 1964 Casablanca Protocol, at the time the most extant commitment by Arab states to enshrine rights for Palestinians in Arab states without

compromising the right of return. Both Egypt and Syria agreed to the protocol without reservations but, as Zureik notes, “only two states with a significant Palestinian presence, Syria and Jordan, fully ratified the Casablanca Protocol.”¹⁶ Egypt’s implementation was instead inconsistent, dependent on shifting political circumstances. Abed notes that before Casablanca, during the so-called ‘Golden Age’ for Palestinians under President Gamal Abdel Nasser, the provisions of the protocol were “effectively observed for the most part...and they continued to be observed for a decade thereafter.” However, after 1978, Palestinians’ legal status in the country plummeted and, arguably, has never recovered.¹⁷

Like other Arab states, Egypt has claimed that its refusal to grant international protection to Palestinian refugees from Syria is based on concerns about preserving right of return, set out in UN General Assembly Resolution 194 (III). Indeed, Jordan’s prime minister, Abdullah Ensour, said in a January 2013 *Al-Hayat* interview that accepting Palestinians crossing the border from Syria was a “red line” because it represented “a prelude to another wave of displacement [...] Our Palestinian brothers in Syria have the right to go back to their country of origin,” Ensour claimed. “They should stay in Syria until the end of the crisis.”¹⁸ This policy has resulted in entry refusals and *refoulement* of Palestinians fleeing Syria.¹⁹ Human Rights Watch reported that Jordan officially banned entry to Palestinian refugees from Syria from January 2013, while forcibly deporting more than 100 who managed to enter the country since mid-2012, including women and children.²⁰

The significant difference, though, is that Palestinians already inside Jordan are permitted to register with UNRWA, whereas no Palestinian in Egypt is recognized as a refugee eligible for protection. Egypt does not recognize Palestinians within its borders as refugees and, although not officially, has not allowed new Palestinian refugees from Syria to enter the country since 2013. This is generally understood as based on political and security considerations, not some haughty concern about Palestinians’ right of return.

From Karmouz to a solution

Egypt’s policies inside its borders have also been accused of “forcing Palestinian refugees from Syria into risky coping mechanisms,” including exploitation at the hands of Mediterranean smuggling networks and risking death at sea. Both represent “a direct result of Egypt’s refusal to recognize them as refugees and grant them refugee protection.”²¹

But the moment Palestinian refugees from Syria are detained in Egypt, they face two main sources of uncertainty. One is how they will fare according to the “distinctly arbitrary” application of immigration law by the competent Egyptian authorities — something experienced by irregular migrants of different nationalities.²² The other uncertainty stems from the fact they are stateless Palestinians subject to a “discriminatory” and “exclusionary” legal regime, both in Egyptian and international law.²³ As a result, Palestinian refugees from Syria in Egypt experience another exclusive system — this time in detention — just as they do in international law. According to those monitoring detention in Alexandria, Egypt does not have “one solid rule” when processing so-called irregular migrants.²⁴

Variables can include everything from nationality to the police officer in charge of the station where the refugee is first processed and detained.²⁵ Even the time of year can be significant. According to sources, the group in Karmouz police station (including Ramy, Abdullah, Omar and Khaled) may



Refugees in Karmouz police station, 18 November 2014 (Photo by: Tom Rollins)

not have been released or resettled between late 2014 and spring 2015 because of a concern by the authorities that others detained at the onset of the “peak” smuggling season (generally seen as starting in April) would see detention as a route to resettlement. Aly Abdullah Abdelghany, a Somali asylum seeker, has also been detained in Alexandria since August, making him the longest-held individual in immigration detention there since August 2013.²⁶ Immigration detention in Alexandria is inconsistent. Administrative detention

is also not reserved for Palestinians only. However, beyond this, Palestinian refugees from Syria then face extenuating circumstances based on their legal rights and situation within international law, as well as Egypt’s interpretation of both.

Because Palestinian refugees from Syria are unable to register with UNHCR, those in detention are left with only at-the-point-of-need assistance from UNHCR’s implementing partners — in this case, Caritas and Medecins Sans Frontieres (MSF).²⁷ Caritas provides them with food; Medecins Sans Frontieres with medical treatment. This is an experience mirrored outside Karmouz, where 3,500 Palestinian refugees from Syria are eligible to receive food voucher assistance from the UN’s World Food Program (WFP), but not residency from the Egyptian government or clearly mandated refugee protection from UNHCR.

As Egypt does not form one of UNRWA’s official areas of operation, and the Egyptian government does not allow UNHCR to take over its mandate, there is little room to maneuver. Instead, UNRWA plays a tentative and mediatory role between other UN agencies outside Egypt and the Palestinian Embassy inside the country, in an attempt to resettle detained refugees.²⁸ This is a slow, drawn-out process that also depends on the willingness of other states to absorb Palestinian refugees — increasingly in question as the Syrian crisis enters its fifth year and the number of Syrian nationals registered with UNHCR in countries neighboring Syria approaches four million. These countries, like Lebanon, are increasingly strained by the Syrian diaspora; while Western states have resettled barely 2% of the total diaspora population.

Without a UN agency to effectively advocate on their behalf, and with the Egyptian government unwilling to release them inside Egypt, Ramy, Abdullah, Omar and Khaled have had two choices from the beginning: resettlement or deportation. Without access to international protection from UNHCR, or assistance from UNRWA, each and every refugee is therefore vulnerable from the get-

go. Moreover, in detention Palestinian refugees from Syria are immediately one step closer to more severe and arbitrary measures, including deportation or imprisonment.

Until Egypt reaffirms its commitment to international obligations, Palestinian refugees from Syria who attempt to leave Egypt irregularly will continue to experience the bitterest end of “intensified exile”; criminalized and castigated by Egypt’s interpretation of domestic and international law. And, as more and more refugees, asylum seekers and migrants continue to attempt dangerous sea crossings in 2015, Ramy, Abdullah, Omar and Khaled will not be the last.

Endnotes

1. Figures provided by researchers at the Egyptian Initiative for Personal Rights (EIPR) in Alexandria. See also Priyanka Motaparthi, “Why Syrian Refugees Risk the ‘Journey of Death’ to Europe.”
2. Tom Rollins, “Unwelcome Guests: Egypt’s Failed Experiment in Refugee Detention.”
3. Alexandria Governorate Youtube Channel, *The Governor of Alexandria Receives 227 Illegal Immigrants, and the Allocation of a Youth Center to Detain Them*.
4. Tom Rollins, “Unwelcome Guests: Egypt’s Failed Experiment in Refugee Detention.”
5. BBC News, “Malta Boat Sinking ‘Leaves 500 Dead.’”
6. Tom Rollins, “Unwelcome Guests: Egypt’s Failed Experiment in Refugee Detention.”
7. Ahmed Sabry, “51 Syrian, Palestinian and Somalis Refugees Go on a Hunger Strike in the Police Department Protesting Their Detention Conditions.”
8. “An Announcement of the Hunger Strike Was Published on Social Media on the Evening of February 8. The Refugees inside Karmouz Also Set up a Facebook Page and Twitter Hashtag, #KarmouzRefugees.”
9. Global detention project, “Egypt Detention Profile.”
10. Interview with Mohamed Kashef, Egyptian Initiative for Personal Rights (EIPR).
11. Martin Chulov, “Syrian Jet Fires Rocket at Palestinian Refugee Camp in Damascus.”
12. Elia Zureik, *Palestinian Refugees and the Peace Process*, 43.
13. Canada: Immigration and Refugee Board of Canada, “Syria: The Legal Rights and Obligations of a Palestinian Who Has Been Issued a Syrian Travel Document, Including Whether They Must Report for Military Service; Whether the Rights and Obligations Apply to Palestinians That Have Resided outside of the Country for the Majority of Their Life and Only Visited It Briefly (2009-November 2013).”
14. Takkenberg, *The Status of Palestinian Refugees in International Law*.
15. UNHCR, “2009 Revised Statement.”
16. Elia Zureik, *Palestinian Refugees and the Peace Process*, 31.
17. Oroub El-Abed, *Unprotected: Palestinians in Egypt Since 1948*.
18. Al-Monitor, “Jordanian PM. We Can’t Accept Palestinian Refugees From Syria.”
19. Tom Rollins, “Egypt Deports Palestinian Syrians back to Conflict Zones.”
20. Human Rights Watch, *Jordan: Palestinians Escaping Syria Turned Away*.
21. BADIL Resource Center, *Closing Protection Gaps: Handbook on Protection of Palestinian Refugees in States Signatories to the 1951 Refugee Convention (2nd Edition)*.
22. Global detention project, “Egypt Detention Profile.”
23. Jasmin Fritzsche, “Displacing the Displaced: Challenging the International Framework for Palestinian Refugees in Light of the Syria Crisis.”
24. Interview with Muhamed Kashef, EIPR. See also Tom Rollins, “Egypt’s Jailed Refugees Caught between Hope and Despair.”
25. Global detention project, “Egypt Detention Profile.”
26. Tom Rollins, “Egypt’s Jailed Refugees Caught between Hope and Despair.”
27. Maureen Clare Murphy, “Palestinian and Syrian Refugees Go on Hunger Strike in Egyptian Jail.”
28. “Interview with UNRWA Official, Speaking on Condition of Anonymity.”

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Interview with Palestinian refugee from Syria detained in Egypt after trying to escape by sea

Interviewed by Wassim Ghantous on 25 February 2015



Karmouz Detention Center in Alexandria, Egypt, (source: Karmouz Refugees)

Q: Who is Muhammad Darwish?

Muhammad Darwish is a 29 year-old journalist and director of a relief organization. He is Palestinian refugee from Al-‘Aideen Refugee Camp in Homs, Syria; originally from the destroyed Palestinian village of al-Shajarah, near Tiberias; and currently detained at Karmouz detention center, Alexandria, Egypt.

Q: When did you decide to leave Syria and why?

A: It was between late February and the beginning of March 2014 when I decided to leave Syria. The regime forces started acting in the area of Homs at the beginning of that same year. In the camp and the area around it, there were also militia groups, and the fighting fronts increased consistently. At a certain point, when the regime surrounded the camp and its forces started entering the camp I decided to leave, since I am wanted for the regime for two reasons: first, they want to recruit me to the army; and second, I was the director of a relief organization and the regime did not like that.

Q: How did you leave the camp, and how would you describe your journey?

A: At this point I started to look for people who could smuggle me out of the Homs area, since on the way I would need to pass through many checkpoints that belonged to the regime. I found somebody who also collaborated with the regime and I paid him \$1,000 to take me out of Homs area, where there are no more checkpoints. From there I wanted to go to Turkey, where I have friends.

The day I left, I was taken by a driver with three other people I did not know. We passed the regular checkpoints of the regime, and it went smoothly, but later on we were stopped by a “flying checkpoint” (mobile checkpoint) that was run by the regime’s informal militias (Shabbiha). They started to ask many questions and wanted to check whether we were wanted for the regime, especially because one of us had a broken ID, and they thought that he had done it as an act of disloyalty to the regime. I came up with the idea to show them my journalist card, and when I did so, they started treating us differently and with more respect, and luckily at the end they let us go without checking our names. However, this incident showed us that the smugglers cannot really protect us as they claimed, and we that we would have been under real danger if the militia members had gone ahead with their inspections.

Later, we stopped in one village, at another smuggler’s house, who replaced our driver and took us closer to the Turkish border. We spent the night at his place, and he woke us up at five in the morning to continue our journey. This trip was very hard and long, we were seven people squeezed in one regular taxi (made for 5 passengers), and due to the situation in Syria the driver could not take the direct route to the border, he had to drive around. We finally arrived at Bab al-Hawa area on the border at 11:30 at night. During this trip, we crossed many areas that were controlled by different militias such as Jabhat al-Nusra, the Islamic State and others, and at one point, in a checkpoint controlled by the Islamic State, we were stopped and interrogated, but luckily the driver (smuggler) managed our crossing.

At Bab al-Hawa, as we had already crossed the danger zone, we hired a taxi to take us to the Turkish side. On the border I was denied entry by the Turkish authorities and I was sent back together with others, because we were Palestinian refugees residents of Syria. Only Syrian citizens could enter freely. Then I went with a group of Palestinian refugees to another area on the border, where we had to pay smugglers to transfer us across a river in small boats to reach the Turkish side. Once I crossed, I hired a taxi with other passengers to go to Istanbul, which cost approximately \$100. This trip lasted for about 17 hours, but I finally made it.

On the border I was denied entry by the Turkish authorities and I was sent back together with others, because we were Palestinian refugees residents of Syria. Only Syrian citizens could enter freely.

Q: What did you do in Istanbul? How long did you stay there?

A: I have Syrians and Turkish friends who live in Istanbul, and they received me and accommodated me when I first arrived. Later on, I used to move around and spend some periods in hostels. I also went to other cities in Turkey where I spent some time. Life in Turkey is very expensive and sometimes I needed \$50 a day to cover my food and accommodation expenses. Thus, I started to do some freelance work for organizations working with Palestinian refugees, although the work was not permanent and stable.

During my stay in Turkey most of my Syrian and Palestinian friends from Syria left to find refuge in Europe. Some ended up going to Greece by land or by sea to Italy, and from there they continued to other destination. My plan was not to stay in Turkey. I wanted to continue to Sweden, where my sister lives or to Holland where my brother had found refuge. However, since I did not have enough money, I stayed longer in Turkey until I managed to save enough money.

After spending almost eight months in Turkey, I decided to leave through the sea, first to get to Italy and later on to join my brother in Holland or my sister in Sweden. Crossing through land to Greece and then to reach the countries of destination costs around \$7,500, while through the sea is much cheaper, around \$6,000. Therefore, I went to the city of Mersin where I heard that ships frequently sail to Italy. There, I met with some people that I knew from my camp in Syria, and who were also waiting to sail to Italy. They were better informed about these ships and the smugglers who can do this job. Finally, we gathered around 50 people from my camp and we decided to arrange our travel together.

Q: How did you arrange your trip from Turkey? What obstacles did you face?

A: At the beginning, we contacted a Syrian man who worked for the smugglers, we reserved a place in a ship, and we waited for him to tell us when the ship would sail. While waiting we heard about ships that were being stopped by the Turkish authorities before sailing. After a few days, we heard that the man we contacted had been arrested by the Turkish authorities while carrying big amounts of cash. We then contacted another smuggler and waited for him to give us a date and time of our travel. In late October 2014, we were told that we would leave Turkey and our journey started.

We were transported in small boats to a big ship that was waiting for us outside the Turkish regional water. One of those small boats did not arrive to the ship and mistakenly went to another, so we waited for them a whole night until they managed to find our ship. We were 104 passengers in total; the vast majority of us were Palestinian refugees from Syria and Syrian citizens. The members of crew of the ship, including the captain, were all Egyptian nationals.

After all the boats arrived to the ship, the captain refused to start moving as he had not yet received his money. The captain spent two whole days trying to reach out to the smugglers in Turkey and asking for his money. After this period we started sailing, although we got to know from him that he did not receive his money. Many people, including myself, were very tired throughout the sail in the sea. I was vomiting frequently as the ship was not stable; mainly when we faced a storm and the waves were very high. There was only one toilet in the ship and it was dirty. Can you imagine 100 people, with women, children and older men using one toilet for almost ten days!? Moreover, we did not have enough food, as we were not allowed to bring any food with us to the ship. For the first few days we only ate one meal of rice that the crew cooked, and when they ran out of rice, we ate one meal a day of dry bread and fish that the team fished. We were all worried and anxious as the trip took much longer than expected, and because of the bad conditions of the ship and its services.

A day and a half after leaving Turkey, the ship stopped near the Egyptian regional waters and the captain informed us that we had to wait for a bigger ship to come and transport us from there to Italy. We waited in the middle of the sea for around three or four days. Around midnight we were surprised to see a small boat coming towards us with few armed men on board. They threatened us and ordered us to go with them on their boat and took us to a big rock in the middle of the sea (a very tiny island)

located near Alexandria and left us there. Luckily one of the guys with us had stolen a cell phone from one of the Egyptian crew members. With this phone we called the Egyptian coastguard and asked for help. Six hours later, at around six in the morning, a small boat arrived and took us to a customs center on the shore of Alexandria.

Q: How did the Egyptian authorities treat you?

A: In the customs center the authorities followed the formal procedures, such as filing reports, taking testimonies from us and documenting our personal details. At night, they took us to the Karmouz detention center in the city (Alexandria), where we are still locked up to this day. We are prisoners although we did not commit any crime, our freedom is being retained. We are locked in three rooms on the second floor of the detention center. We are not allowed to leave the rooms or go for refreshment, only after consistent protests we were allowed to go to the roof to see the sun once or twice a month. We were also allowed to leave for ten minutes a day to meet with other detainees, which also allows members of the same families to meet each other. Moreover, we receive one meal a day and a medical check once every two weeks from UNHCR.

In the beginning of our detention at Karmouz, we had a trial where the Egyptian Attorney General dropped the charge of illegal entry to Egypt as we were subjected to fraud, and thus we should have been released. However, the Egyptian Ministry of Interior issued an order to keep us in Karmouz until we could be deported. Then we heard that we might be deported back to Syria, which could put us in real danger, but finally, an Egyptian lawyer appealed against this attempt and the Judge agreed not to deport us. 31 of the Syrians among us, whose passports were valid and accepted, were capable to return to Turkey. The rest of us, 73 in number – including 15 children, eight women and 50 men – are still in the detention center (Karmouz), for more than 150 days now.

During our time here, a representative of the Palestinian embassy visited us a few times, but did not offer any tangible assistance and just told us that the solution will come soon. Every time he mentions countries that may accept to host us, but five months have passed and nothing has really changed!

During our time here, a representative of the Palestinian embassy visited us a few times, but did not offer any tangible assistance and just told us that the solution will come soon. Every time he mentions countries that may accept to host us, but five months have passed and nothing has really changed! We have organized ourselves and have agreed on certain requests such as to put pressure on countries to accept our resettlement, and a specific call for European countries where some of us already have families there to accept us. We started a hunger strike on 9 February, in order to draw attention from politicians, countries and international organizations to our cause and suffering. I personally ended my hunger strike because I am the spokesperson of the group and I work on advocating our cause through a Facebook page and by contacting international organizations and media. Today there is no formal body that has helped with our cause, not even UNHCR (except with its limited services), and we call on all responsible bodies and politicians to intervene and help us out.

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No way out: the second Nakba of Palestinian refugees from Syria escaping to Turkey

by Anna Clementi*



Palestinian and Syrian in a temporary classroom in Suruc refugee camp, Turkey.
25 March 2013 (source: Carl Court/Getty Images)

The conflict in Syria has deeply affected all 15 Palestinian refugee camps in Syria and all 560,000 registered Palestinian refugees in the country. Because of the indiscriminate use of heavy weapons, attacks on civilian areas and violations of international humanitarian and human rights law, more than 50% of registered Palestinian refugees of Syria have been displaced inside the country. The UN Relief and Works Agency for Palestinian refugees in the Near East (UNRWA) estimates that 95% of the 480,000 Palestinian refugees remaining in Syria are in need of humanitarian assistance.

The remaining 80,000 Palestinian refugees were forced to leave the country. 44,000 Palestinians from Syria live in Lebanon and are particularly vulnerable because of the irregular legal status and the extremely limited social protection services offered by this country.¹ Only 15,000 Palestinian refugees from Syria approached UNRWA for assistance in Jordan due to the fact that entering the country has become difficult since January 2013 when the Jordanian authorities announced the non-admission of Palestinians from Syria without a Jordanian national document.² Around 4,000 Palestinian refugees from Syria have been reported in Egypt, while the remaining 15,000 have found their way to Turkey and to Europe. This article highlights the conditions, the plight, the legal status

and the challenges of the Palestinian refugees from Syria living in Turkey in light of the Syrian crisis that started as popular mass protests in March 2011.

Palestinian refugees in Turkey - Numbers and distribution

When the crisis started in Syria, many Palestinian refugees living in the north of Syria – especially in the refugee camps of al-Neirab and Ein Al-Tal in Aleppo area – left the country and entered Turkey to seek refuge. There are no official or non-governmental organizations that issued statistics about the number of Palestinian refugees in Turkey, and this is due to some technical difficulties in the field such as the fact that many Palestinian refugees avoid identifying themselves as Palestinians since they might be legally pursued by the Turkish authorities.³ However, some researchers and activists managed to collect data about the number of Palestinian refugees in Turkey. Estimates show that since the beginning of the Syrian crisis around 10,000 Palestinians have entered Turkey. However, only 3,500 currently live in the country, since the rest left for Europe. This number is a fraction when compared to the 1.6 million Syrian refugees who live in Turkey.

According to the data of the Action Group for Palestinians of Syria (latest update December 2014)⁴, 30% of the Palestinian refugees from Syria living in Turkey come from Aleppo area, while 27% of them are from al-Yarmouk refugee camp. They mainly live in the south of Turkey (42% in Gaziantep; 15% in Antioch). However, there is also a big Palestinian community in Istanbul (22%). Some Palestinian families live in the camps in the southern part of Turkey with the Syrian refugees without declaring the fact that they are Palestinians in order to receive equal treatment to the Syrians.

Turkish border policy

In April 2011, almost immediately after the first wave of Syrian refugees in Turkey, the Government of Turkey opened its borders and designated the Prime Minister's Disaster and Emergency Management Presidency (Turkish acronym AFAD) as the lead agency responsible for Syrian refugees. Six months later, Turkey built six refugee camps in the south of the country to host the refugees fleeing from Syria. Today, there are 24 refugee camps for Syrian refugees in the south part of Turkey.

The Turkish policy towards refugees is formally characterized by three main elements: an open door policy; the principle of *non-refoulement* (no forced returns to Syria); unlimited duration of stay in Turkey⁵. However, four years after the beginning of the Syria crisis, Turkey has put in place strict measures at its borders. The most basic obligation of states towards refugees that underpins the international legal regime of refugee protection is the principle of *non-refoulement*⁶. Even if Turkey boasts of its open border policy towards Syrian refugees, in practice entering Turkey through its 900 km border with Syria has become extremely difficult and dangerous⁷. In the past two years, Turkey has closed most of the regular crossing points that were used by the refugees fleeing from Syria, particularly in the north-east part of Syria. Official border crossings have become accessible only to a small minority of refugees from Syria who hold valid passports and live within a safe travelling distance from these points. As a result of these closures, many refugees have been forced to use irregular border crossings to enter Turkey irregularly, and they have often been victims of abuse by Turkey's border guards.

In principle, Palestinian refugees from Syria are allowed to enter Turkey without a visa since the temporary protection regime specifically ensures that Palestinians from Syria are granted the same

registration and protection envisaged for Syrian nationals. In practice, however, since Turkish authorities do not accept Palestinian documents, all Palestinian refugees from Syria have to cross the border illegally. Even if Palestinians have a valid passport, Turkish representatives ask them for visas, although they do not require visas for Syrian nationals.⁸

Many Palestinian refugees from Syria reported that the Turkish authorities assaulted them while they were trying to cross the border. A Palestinian refugee interviewed by the Action Group of Palestinians for Syria explained how a border guard beat him and a group of his friends and broke the hand of one of his friend preventing them from entering Turkey.⁹ Many Palestinians were as a result forced to cross the border walking during the night not to be seen by the Turkish authorities. Some reported that they had to pay the border guards to enter the country without any personal documents. Some others found ways through smugglers in Idlib countryside and Aleppo in a dangerous journey. Most of the Palestinians interviewed explained that they did not declare the fact that they were Palestinians because they were afraid they would be prevented from entering Turkey or that they would be detained by the Turkish border guards.¹⁰

Many Palestinian refugees are frightened by the journey they had to undertake to leave Syria. A Palestinian family that Focus on Syria, independent network of persons engaged on the Syrian crisis, met in Yayladagi, a small Turkish village closed to the Syrian border in the south-west part of the country.

I paid 300\$ for a private car that would bring me and my family to the border from Aleppo. We could not live there anymore. There were bombings everyday. My children used to cry all the time, they could not sleep or relax psychologically. I could not remember how much time it took us to arrive to the border. I just remember that we crossed many checkpoints and eventually we got off the car. We waited until it was dark and then we started walking among the trees. The trench was opened and we entered Turkey illegally. It took us almost the whole night until we reach the village of Yayladagi where we are still living waiting for the war to stop. We want to go back to our homes. Here we do not have any right or document. We even have to hide our own identity, we do not tell anyone that we are Palestinians.¹¹

The legal status of Palestinian refugees from Syria in Turkey

Under domestic Turkish law, Syrians and Palestinians escaping from Syria are neither refugees nor asylum seekers. They are considered as ‘guests’ or ‘temporary protection beneficiaries’. Although Turkey is party to the 1951 Convention relating to the Status of Refugees,¹² it maintains a geographical limitation: with the standing reservation to the 1951 Convention, Turkey is not obliged to grant refugee status to asylum seekers coming from outside Europe.¹³ Thus, Syrian refugees do not have access to refugee status determination. According to some reports, UNHCR is allowed to conduct refugee status determination for Palestinian refugees coming from countries other than Syria, but Syrian and Palestinian refugees fleeing from Syria are not allowed to.¹⁴

Four years have passed since the beginning of the Syrian crisis and the status of Syrian refugees in Turkey remains unclear. In October 2011, the Government of Turkey granted the temporary protection status to all refugees from Syria. According to UNHCR,¹⁵ in March 2012, the temporary protection regime was set out in an unpublished directive of the Turkish Ministry of Interior that stated that Palestinians from Syria seeking refuge in Turkey had the same rights to temporary protection as

Syrian citizens, so they did not need a visa to enter the country. However, the directive was not communicated to the refugees from Syria and to the civil organizations working with them and in some cases public officials seemed to be unaware of the directive as well. Since the directive is not published as actual law, the Temporary Protection regime is informal. This temporary status regime is distinct from temporary asylum since it does not allow UNHCR to perform a refugee status determination procedure. Syrians are considered as a temporary mass influx and this is why they are covered by the temporary protection regime.

At the beginning of 2014, thanks to the efforts of Palestinian officials and to the struggle of some Palestinian organizations, such as the Palestinian Return Centre, the Action Groups for Palestinians of Syria (AGPS) and the Turkish Assembly of Solidarity with the Palestinian People (Vidar), Palestinian refugees from Syria obtained some improvements of their status. On 19 February 2014, the Turkish Government, in coordination with the Palestinian Embassy in Ankara, agreed to grant the residency permits to Palestinians who fled Syria. However, in practice this resolution has never been applied. The first residency permits took seven months to be issued and many families were forced to pay more than \$1,000 to get the residency. So far, no other residency permits have been issued.

In April 2014, Turkey put into force its first law that regulates asylum, namely the Law on Foreigners and International Protection (the 2013 Law) that gave better protection standards and more safeguards for asylum seekers and refugees. Since this law came into force, the Directorate General of Migration Management has become the sole institution responsible for asylum matters.¹⁶ What Turkey did was to incorporate Art.1 (D) of the 1951 Refugee Convention in the Art.64 (1) (a) of the Law on Foreigners and International Protection, regarding the application of international protection to Palestinian refugees.



Turkish soldiers block refugees coming from Syria, 2013 (source: Human Rights Watch)

In October 2014, the Turkish Government passed the Temporary Protection Directive and applied it to all refugees from Syria. However, until now, this directive has not been fully implemented. If properly implemented, this regulation would provide a solid legal status for Syrian refugees in Turkey such as the right to remain in Turkey (art.25), the access to free healthcare (art.27), the principle of *non-refoulement* (art.6), the provision of an identity card to access state schools and to obtain work permits (art.22).¹⁷

Protection and services provided by Turkey

UNRWA does not operate in Turkey while UNHCR provides its services through the Turkish government. The registration of Syrian and Palestinian refugees inside Turkey and the distribution of the AFAD card are not performed in a uniform way. Inside the camps, AFAD is responsible for registering the Syrian refugees, while outside the camps there has not been yet a systematic way of collecting their data. UNHCR provides protection and assistance just to the registered refugees. This means that unregistered refugees have limited access to services and assistance and many of them are forced to live in desperate conditions.¹⁸ UNHCR started to fill this gap by setting up mobile registration units for the government, however this operation needs time and it is extremely difficult since non-camp refugees are typically very mobile.

The AFAD card is considered mandatory for refugees who do not have any other valid residency in Turkey. It gives some benefits in terms of government services such as the free access to healthcare, school enrolment and the right to access to a work permit. According to the Action Group for Palestinians of Syria, the Government of Turkey refused to issue AFAD cards to many Palestinian refugees from Syria holding Palestinian Syrian travel papers.¹⁹ Moreover, some refugees are reluctant to register at the UNHCR offices since they do not want to leave their personal details and their fingerprints. A Palestinian family living in Istanbul told Focus on Syria that they did not register because they could not find anything beneficial in doing it and because they were worried that, by leaving their fingerprints, they would have allowed Europe to return them to Turkey.²⁰

Health

Many refugees arrive in Turkey with no personal possessions and they usually do not have any basic means to meet their needs. Turkey is characterized by a high cost of living compared to Syria. Moreover, the huge influx of refugees from Syria has led to a deep increase in rents and food prices. Even if many Palestinians suffer from the absence of aid from official bodies such as UNRWA and UNHCR, they can rely on Turkish and Syrian associations such as the Turkish Assembly of Solidarity with the Palestinian People (Vidar). Palestinians, like Syrian citizens, receive free access to healthcare in Turkish hospitals, and medical services are generally free. There are also some private hospitals that offer medical examinations and surgeries at low prices for refugees from Syria. The main problem they face is the fact that the medical staff speaks Turkish and that a translator is usually needed. Some associations reported that Palestinian refugees were denied access to free healthcare unless they did not show a personal document.

Work

Palestinian and Syrian refugees usually work illegally and they are paid very low wages. As a result, they are forced to live in small and crowded houses in poor neighborhoods. A four-member

Palestinian family interviewed by Focus on Syria in December 2014 explained that they were forced to share their flat with two other Syrian families since they could not afford a flat on their own. Since they arrived in January 2014, the owner has increased the flat rent by 200%:

When we arrived we used to pay \$300 per month. After six months he asked us \$500. We did not have any other choice but to pay. The only other solution would have been to live in the street. I have two small children, I have to feed them. Now we pay \$600 Turkish lira for the flat. Since we are three families we pay almost \$200 each. I work as a waiter in a Turkish restaurant and I earn \$350 per month. I do not have a contract. If they do not pay me at the end of the month, I cannot do anything. I have no rights at all.²¹

Education

Syrian and Palestinian refugees can enroll their children in Turkish public schools if they have the residency. In some provinces it is not necessary even. The most difficult challenge children face is the different language. This is why usually Syrian children are enrolled in Syrian schools. Some are free of charge, others are paid. While in the south of Turkey it is quite easy to find a free of charge school for Syrian children, it is quite more difficult in Istanbul. Many refugee children have not attended school for years since their parents could not afford to pay for the school fee. Schools are usually overcrowded and classes not well organized.

On the road to the European Union

As the crisis in Syria exacerbated and its neighboring countries closed their border to Syrian refugees, Turkey became a desirable destination for many Syrians who wanted to leave for Europe. After accessing Turkey, there are several routes to reach Europe. Some refugees from Syria do not have any other choice rather than trying to reach Europe through land or sea. Since it is almost impossible to obtain a visa for the European Union from Syria's neighboring countries, the majority of Palestinian refugees who now live in European countries reached Europe through human traffickers.

Many Palestinian refugees from Syria managed to reach Europe by sea through boats from the Turkish city of Izmir. Some of them paid around \$4,000 to human traffickers to reach Greece and from there they pay \$4,000 more to reach Italy. In many cases, they were stuck in detention centers in Greece for months with the accusation of illegal immigration. In some other cases Greek coast guards return the boats to Turkey. The Action Group for Palestinians of Syria report that in December 2013, a Palestinian woman and her son drowned off the coast of Greece after Greek coastguards forced a boat carrying refugees to return back to Turkish regional waters.²² A new maritime route that has been used by human traffickers since the end of 2014 goes from the cities of Mersin and Izmir directly to Italy. This journey costs around \$8,000 and is becoming increasingly popular among Syrian refugees.

The other way to reach Europe from Turkey is by land. A journey to Greece or to Bulgaria costs around \$2,500 per person. Refugees usually are brought to the border by human traffickers and there they have to cross a river to get to Greece or to walk among forests and swamps until they reach Bulgaria. Many refugees pay a lot of money and face dangerous and unsafe journeys to reach Europe. In many cases, they are detained or returned back by border guards.

We are from al-Yarmouk refugee camp. We have two children, they are five and seven years old. We left Syria because our house was bombed and we could not find any other safe place where to live. We moved to Turkey three months ago. We managed to enter Turkey because we paid the Turkish border guards. We went directly to Istanbul and there we put our lives in the hands of a human trafficker that promised to bring us to Bulgaria. He took from us 10,000\$, the savings of all our life. He told us to walk until the border and then he left. We walked for the whole night. My children were crying. The youngest one fell down and broke his leg. We kept walking in the dark in the forest until we reached the border. There the Bulgarian border guards prevented us from entering. We begged them for letting us enter but they did not even talk to us. We went back to Turkey. Now we do not have money and we do not have a place where to stay. We have slept in the park in the last two days. What can we do?²³

The situation is unlikely to change unless the international community accepts its financial responsibility for refugees from Syria in order to enable Turkey to better fulfill the needs of the refugees who are now living in the country. One of the main problems that Palestinians have to face is that entering Turkey still remains difficult and dangerous and once they reach Turkey their legal status is not entirely secure. At the same time, the international community should expand the number of resettlement places and humanitarian admissions for refugees from Syria to protect them from dangerous journeys in the hands of human traffickers.

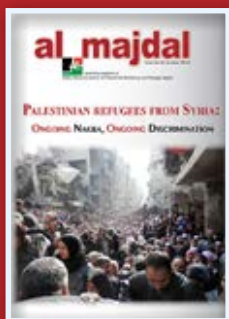
Endnotes

1. UNRWA, Syria Regional Crisis Emergency Appeal 2015, 15.
2. Ibid., 21.
3. Palestinian Return Centre, Action Group for Palestinians of Syria, and Filistin Dayanışma Derneği (FİDDER), Report on the Conditions of Palestinian Refugees in Syria, 26.
4. Action Group for Palestinians of Syria and Palestinian Return Centre, Palestinians of Syria. The Bleeding Wound.
5. Akram et al., Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing, 25.
6. Art. 33 UN General Assembly, "Resolution 39/46 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment."
7. Amnesty International, Turkey: Struggling to Survive: Refugees from Syria in Turkey, 11.
8. Ibid., 15.
9. Action Group for Palestinians of Syria and Palestinian Return Centre, Palestinians of Syria. The Bleeding Wound, 75.
10. Field interview made by Focus on Syria in Antioch.
11. Field interview made by Focus on Syria in Yayladagi.
12. UN General Assembly, "Convention Relating to the Status of Refugees."
13. Meltem Ineli-Ciger, "Implications of the New Turkish Law on Foreigners and International Protection and Regulation No. 29153 on Temporary Protection for Syrians Seeking Protection in Turkey."
14. Akram et al., Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing, 27.
15. UNHCR, "2015 UNHCR Country Operations Profile - Turkey."
16. Ibid.
17. "Geçici Koruma Yönetmeliği, 22 October 2014, <http://www.resmigazete.gov.tr/eskiler/2014/10/20141022-15-1.pdf>."
18. Akram et al., Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing, 27.
19. Action Group for Palestinians of Syria and Palestinian Return Centre, Palestinians of Syria. The Bleeding Wound, 77.
20. Field interview made by Focus on Syria in Istanbul.
21. Ibid.
22. "Action Group Report Death of 8 Palestinian Refugees Including Mother and Her Child."
23. Field interview made by Focus on Syria in Antioch.

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Al-Majdal is BADIL's biannual magazine on Palestinian refugees. The magazine aims to raise public awareness and support for a just solution to Palestinian residency and refugee issues. It also serves as a tool to collect the latest data on different issues that concern BADIL.



ABOUT THE MEANING OF al-Majdal

al-Majdal is an Aramaic word meaning fortress. The town was known as Majdal Jad during the Canaanite period for the god of luck. Located in the south of Palestine, al-Majdal was a thriving Palestinian city with some 11,496 residents on the eve of the 1948 Nakba. Majdalawis produced a wide variety of crops including oranges, grapes, olives and vegetables. Palestinian residents of the town owned 43,680 dunums of land. The town itself was built on 1,346 dunums.

The town of al-Majdal suffered heavy air and sea attacks during the latter half of the 1948 war in Palestine. Israeli military operations (Operation Yoav, also known as “10 Plagues”) aimed to secure control over the south of Palestine and force out the predominant Palestinian population. By November 1948, more than three-quarters of the city’s residents had fled to the Gaza Strip. Israel subsequently approved the resettlement of 3,000 Jews in Palestinian refugee homes in the town. In late 1949 Israel began to drive out the remaining Palestinian population using a combination of military force and administrative measures. The process was completed by 1951. Israel continues to employ similar measures in the 1967 occupied West Bank, including eastern Jerusalem, and the Gaza Strip.

Palestinian refugees from al-Majdal now number over 71,000 persons, and Israel has Hebraized the name of their town as “Ashkelon.” Like millions of other Palestinian refugees, Majdalawis are not allowed to return to their homes of origin. Israel opposes the return of the refugees due to their ethnic, national and religious origins. al-Majdal, BADIL’s quarterly magazine, reports about and promotes initiatives aimed at achieving durable solutions for Palestinian refugees and displaced persons based on international law and relevant resolutions of the United Nations.

The scale of the conflict forced Palestinians to seek refuge outside of Syria. Thousands fled to Lebanon, where many Palestinian refugees have family ties. However, in August 2013 Lebanon closed its borders to Palestinians coming from Syria. The same happened in Jordan, where the Jordanian authorities closed the border to Palestinian refugees in April 2012, while leaving it open for Syrian refugees. Some Palestinian refugees from Syria managed to find shelter in Egypt. However, the unwelcoming policies of the neighboring states towards Palestinian refugees, in addition to the lack of action of the PLO and the majority of Palestinian factions, have forced thousands to try to reach Europe by using the so-called *death boats* to cross the Mediterranean Sea.

Testimony by Dr Ali Badwan,
al-Yarmouk refugee camp